

FOR PUBLIC AFFAIRS STAFF

PROGRAM Senate Select Committee
HearingsSTATION WMAL TV
ABC Network

DATE July 31, 1973 10:55 AM

CITY Washington, DC

TESTIMONY BY H.R. HALDEMAN

SENATOR: Now, did you have a meeting -- did the President either communicate with you or did you have a meeting with the President prior -- shortly prior to June 23rd, 1972?

H. R. HALDEMAN: I'm sure I did. Do you want me to check?

SENATOR: No, I -- I -- you met frequently with the President so...

HALDEMAN: Yes, sir.

SENATOR: ...you're pretty sure you could find this meeting.

Do you recall prior to that meeting on June the 23rd, the President having a discussion with you concerning the investigations that would be ongoing with regard to the Watergate break-in, and a concern that he had that such an investigation by the FBI might include the work of the special investigating unit in the White House and also the CIA?

HALDEMAN: Not -- not prior to the 23rd. I do recall such on the 23rd.

SENATOR: On the 23rd?

HALDEMAN: Yes, sir.

SENATOR: Was that on the 23rd itself?

HALDEMAN: Uh-huh.

✓ SENATOR: Is that what prompted your having a meeting with Mr. Helms and Mr. Walters on the 23rd?

HALDEMAN: Yes.

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FOR PUBLIC AFFAIRS STAFF

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| PROGRAM | Senate Select Committee Hearings | STATION | WMAL TV ABC Network |
| DATE | July 31, 1973 12:08 PM | CITY | Washington, DC |

TESTIMONY BY H. R. HALDEMAN

MINORITY COUNSEL FRED THOMPSON: Mr. Haldeman, let me -- let me ask you about a few things before lunch if we can.

I want to ask you, first of all, about this June 23rd meeting with Helms/Walters -- Mr. Helms and Mr. Walters and Mr. Ehrlichman. You alluded to that and you've addressed yourself to that in your statement.

What first caused you to believe that perhaps there was some CIA involvement or CIA exposure which resulted in this particular meeting?

H. R. HALDEMAN: I at no time believed that there was CIA involvement or CIA exposure, and I was not operating as a principal in this matter on the basis of any belief that I held. What first instigated the -- or what started the process that led to this meeting was a report to me by Mr. John Dean on either late the evening of the 22nd or -- or early the morning of the 23rd, that in his communications with the FBI, the FBI was concerned as to whether there might be some CIA involvement or whether their investigation was in danger of impinging upon -- and compromising any CIA activities.

THOMPSON: So was it Mr. Gray, then, who first brought this subject up, that there could possibly be or that he might be concerned about it?

HALDEMAN: It -- it was Mr. Dean who first brought the subject up to me. I did -- I have never discussed this subject with Mr. Gray. I did not that day and I have not since.

THOMPSON: Did he state that he was basing his discussion or his concern on conversations with the FBI or Mr. Gray, specifically?

HALDEMAN: He -- Mr. Dean...

THOMPSON: Yes.

HALDEMAN: ...stated that. Yes, sir.

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| PROGRAM | Senate Select Committee Hearings | STATION | WTOP TV CBS Network |
| DATE | July 30, 1973 2:00 PM | CITY | Washington, DC |

EHRlichman TESTIMONY

MAN: You may see some Senators moving in and out of the room. There are two votes scheduled for this afternoon.

I see Senator Ervin has already started the proceedings so let's join and see what he has to say.

[Technical difficulties].

✓ SENATOR: Mr. Ehrlichman, following the meetings that you had -- or the meeting that you had on June 23rd with Mr. Walters and Mr. Helms and Mr. Haldeman, did you instruct Mr. Dean to contact Mr. Walters and follow up on the June 23rd meeting?

JOHN EHRlichman: No, sir. I simply notified Mr. Dean that there had been a meeting, that General Walters was going to be talking with Mr. Gray and that we had indicated to General Walters that Mr. Dean would be his contact from that point forward.

SENATOR: And did there come a time when General Walters did call you and ask you -- and tell you that he was going to have a meeting or that Dean had contacted him and was it alright for him to speak to Mr. Dean?

EHRlichman: It either happened that way or I told him at the time of the meeting on the 23rd, Dean would be his contact. One or the other. But I am quite sure that I indicated to General Walters that Dean was the White House man who was looking after this whole subject.

SENATOR: And were you aware that Mr. Dean, in fact, did meet with General Walters on June 25th?

EHRlichman: No, I was not aware of those meetings, which...

SENATOR: There was a series of meetings.

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FOR PUBLIC AFFAIRS STAFF

PROGRAM Senate Watergate Hearings

STATION WTOP TV
CBS Network

DATE July 30, 1973 *4:55*
Approved 2:00 PM
~~10:00 AM~~

CITY Washington, D.C.

TESTIMONY BY H. R. HALDEMAN

H. R. HALDEMAN: ...Any attempt on my part at this time to try to identify those who participated in, directed or knew of the illegal cover-up would, of necessity, be based totally on hearsay.

There was a concern at the White House that activities which had been in no way related to Watergate or to the 1972 political campaign, and which were in the area of national security, would be compromised in the process of the Watergate investigation and the attendant publicity and political furor. The recent public disclosure of the FBI wiretaps on present NSC personnel, the details of the Plumbers' operations, and so on, fully justifies that concern.

As a result of this concern and the FBI's request through Pat Gray to John Dean for guidance regarding some aspects of the Watergate investigation, because of the possibility of CIA involvement, the President directed John Ehrlichman and me to meet with the Director and Deputy Director of the CIA on June 23rd. We did so and ascertained from them that there had not been any CIA involvement in the Watergate affair and that there was no concern on the part of Director Helms as to the fact that some of the Watergate participants had been involved in the Bay of Pigs operation of the CIA.

We discussed the White House concern regarding possible disclosure of non-Watergate related covert CIA operations or other non-related national security activities that had been undertaken previously by some of the Watergate participants, and we requested Deputy Director Walters to meet with Director Gray of the FBI to express these concerns and to coordinate with the FBI so that the FBI's area of investigation of the Watergate participants not be expanded into unrelated matters which could lead to disclosures of earlier national security or CIA activities.

Walters agreed to meet with Gray as requested. I do not recall having any other communication or meeting with Walters,

Hearings to Run Into Hill Recess

By a Star-News Staff Writer

The Senate Watergate Committee voted today to continue its hearings into the August recess of Congress in order to hear seven more witnesses in its "phase one" investigation of the Watergate scandal.

Committee members said the decision probably will keep them in session at least a week beyond the start of the recess on Friday.

The witnesses who remain on the schedule are H. R. HILDEMAN, FORMER White House chief of staff; L. Patrick Gray, former FBI director; former Atty. Gen. Richard Kleindienst;

Assistant Atty. Gen. Henry Petersen; former CIA Director Richard Helms; former Deputy CIA Director Robert Cushman and his successor, Gen. Vernon Walters.

Dropped from the schedule were seven witnesses previously expected to testify: Charles W. Colson, former White House special counsel; Egil Krogh Jr. and David Young, former members of the White House "plumbers"; Paul O'Brien and Kenneth Parkinson, Nixon campaign lawyers, and William O. Bittman, defense attorney for Watergate conspirator E. Howard Hunt.

NEW YORK TIMES
29 JUL 1973

Watergate Panel to Query 5 More in Public Sessions

But Several Key Witnesses, Including Hunt, May Not Testify in Open Hearings Under Ervin's Plan

By DAVID E. ROSENBAUM
Special to The New York Times

WASHINGTON, July 28—The present plan of the Senate Watergate committee is to hear five more witnesses and then end its public hearings on the Watergate burglary and its cover-up, according to committee officials.

If the committee follows this procedure, which is said to be favored by the chairman, Senator Sam J. Ervin Jr., many key witnesses will not testify publicly.

Among them would be E. Howard Hunt Jr., who has admitted complicity in the burglary of the Democrats' Watergate offices and that of the office of the former psychiatrist of Dr. Daniel Ellsberg of the Pentagon papers case; Egil Krogh Jr. and David R. Young Jr., who headed a special White House intelligence unit; Lieut. Gen. Vernon A. Walters, deputy director of the Central Intelligence Agency; and three lawyers who are said to have played crucial roles in the Watergate cover-up—William O. Rittman, Kenneth Wells Parkinson and Paul L. O'Brien.

The committee has made no formal decision on when to end this phase of the hearings. It will meet before the public hearing begins Monday morning to try to decide the question. Originally, the committee had planned to recess Aug. 3, when the Senate begins a month-long break.

But the next-scheduled witnesses—H. R. Feldman, the former White House chief of staff, and Charles W. Colson, President Nixon's former special counsel—are of major importance, and their testimony is likely to last more than a week.

Furthermore, Senator Ervin is reported to believe that the

committee must hear publicly from L. Patrick Gray 3d, former acting director of the Federal Bureau of Investigation; Richard G. Kleindienst, former Attorney General, and Henry F. Petersen, Assistant Attorney General in charge of the Justice Department's Criminal Division.

Committee staff members said that the committee would spend no more than a day interrogating Mr. Gray, and half a day each on Mr. Kleindienst and Mr. Petersen.

Thus, it seems likely that the hearings will recess sometime in the second full week of August and no later than Aug. 10.

When the Senators return after Labor Day, they will move into the other two phases of the hearings—one dealing with campaign financing and the other with political sabotage, or "dirty tricks."

At least three committee members—Herman E. Talmadge, Democrat of Georgia; Edward J. Gurney, Republican of Florida, and Lowell P. Weicker Jr., Republican of Connecticut—would prefer that the committee continue public hearings throughout August to work through the entire witness list.

It is possible, but doubtful, that these Senators will be able to persuade Senator Ervin, a North Carolina Democrat, and the committee's vice chairman, Senator Howard H. Baker Jr., Republican of Tennessee, to change their minds about putting the witness list. Normally, a committee chairman, after consulting with the ranking minority member, makes the final decision on scheduling.

"We Need a Break"

Senator Ervin and Senator Baker are aware that many of the committee members have long-standing plans for August. In addition, as Senator Baker

tired. We need the break. It'll do us good."

Senator Ervin, according to a staff member, is planning to spend some time in solitude next month, away from the ever-present newsmen who have been following him home to North Carolina nearly every weekend since the hearings began in May.

Furthermore, a hiatus in the five-day-a-week hearings would give the committee's staff time to prepare its court case in the battle with President Nixon over access to White House tape recording that could light on who has been telling the truth.

In contrast with the views of Senator Ervin and Senator Baker, Senator Weicker argues that, on monumental issues, "you can't just pick up your bathing suit and go to the beach." Senator Talmadge and Senator Gurney agree.

Questioned in Private

All the witnesses on the original list who would not testify publicly under Senator Ervin's plan have been extensively interrogated by the committee's staff. The committee would undoubtedly use these staff interviews in preparing its final report, and thought is being given to making the interviews public in some form.

Perhaps the most interesting of the "lost" witnesses would be Hunt, the mysterious former C.I.A. agent who pleaded guilty in the Watergate conspiracy, who has acknowledged coordinating the 1971 burglary of the office of Dr. Lewis Fielding, Dr. Ellsberg's former psychiatrist, and who was sent by the White House to Barber to interview Pat D. Conrad, the lobbyist for the International Telephone and Telegraph Corporation at the time of the dispute over the company's reported plan to join the Democratic party.

Questions raised in the Watergate case involve, who at the White House enlisted him in the cover-up.

much money he got from the White House or the President's re-election committee after he was arrested in the wake of the Watergate burglary; whether he was paid the money after promising to keeping silent about the Watergate scandal, and whether he was promised executive clemency.

These questions would be asked Hunt if he appeared before the committee in public. But Hunt, who is in prison, is reportedly not physically well enough to testify publicly.

Mr. Krogh and Mr. Young, both former White House officials, are alleged to have operated the special White House unit called "the plumbers," whose assignment was ostensibly to prevent leaks of classified documents.

John D. Ehrlichman, Mr. Nixon's former chief domestic adviser, told the committee this week that he "assumed" Mr. Krogh had ordered the burglary of Dr. Fielding's office. According to Samuel Dash, the committee's chief counsel, Mr. Young said at his staff interview that he called Mr. Ehrlichman on Cape Cod in August, 1971, and obtained Mr. Ehrlichman's approval to break into the psychiatrist's office.

Mr. Krogh and Mr. Young claimed their Fifth Amendment protection against self-incrimination when they were called before the House Armed Services Committee this month and refused to testify. The Senate Watergate committee, however, granted them limited immunity from prosecution, and they would have been forced to testify.

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Ehrlichman Version Clashes With Other Accounts

By William Greider
Washington Post Staff Writer

If John D. Ehrlichman was telling the whole truth and nothing but the truth last week, as the oath requires, then the Senate Watergate committee had been listening to a lot of liars before he came along.

Everyone expected that President Nixon's former No. 2 man would be bright and tough-minded in the witness chair, but Ehrlichman's version of Watergate was so bold and singular that it staggered the senses.

After four days of jousting with him, most of the Senate interrogators were limp with mental fatigue. Ehrlichman, his chin up and out, was still crisp and self-confident, offering bull-necked resistance to every hostile question and to a lot of questions that weren't.

But Ehrlichman's awesome display of personal strength may be misleading. What the senators established last week in the bits and pieces of tedious questioning is that Ehrlichman's story of the Watergate scandal clashes discordantly with so many other versions. If one accepts his account in every particular, he leaves an impressive line-up of suspected perjurers in his wake.

A rough analysis of his four-day testimony, compared with that of previous witnesses and accounts outside the Senate forum, indicates that Ehrlichman's version conflicts at various points with at least 18 other figures in the Watergate mess.

The differences range from major disputes over criminal involvement to smaller elements of vital corroborating detail. The conflicting witnesses range from bit players like junior-junior White House assistants to the official utterances from the Oval Office itself.

Everyone knew in advance, of course, that Ehrlichman would rebut the incriminating testimony of John W. Dean III, the former White House counsel who accused the President and his two top aides, Ehrlichman and H. R. Haldeman, of criminal complicity in the Watergate cover-up.

Ehrlichman dismissed Dean early with a scornful wisecrack about "the most expensive honeymoon in the history of the White House staff," a loaded reference to Dean's dipping into the secret campaign money stashed in the White House. At every key turn in the narrative, where Dean had pointed a finger at him, Ehrlich-

man accused his former subordinate of distortion and lies.

But even before you get to the conflicts between Ehrlichman and other witnesses, there is a central ambiguity contained in his own testimony, a crucial question for the public trying to decide what to believe about White House involvement.

What sort of a public man is John Ehrlichman? He began with a civics lecture on the presidency, a detailed description of tortuous demands which converge on the President and his close assistants. That was an important element in the Ehrlichman defense argument.

The federal budget, racial integration, water and air pollution, skyjacking, unemployment, flood damage and postal reform—those were the problems that consumed his time in the crucial months of the 1972 campaign. He was simply too busy for Watergate.

"I personally saw very little of the campaign activity during the spring and early summer of 1972," he explained. Watergate was not his problem; political intelligence was not "my bailiwick."

"As assistant for domestic affairs," Ehrlichman said, "I had very little occasion to be involved in questions of political intelligence or political anything, for that matter."

Furthermore, he explained, John Dean, who was responsible for Watergate, was an independent body, operating on his own schedule, largely reporting to other White House executives. "I did not cover up anything to do with Watergate," he said. "Nor were Mr. Dean and I keeping steady company during all these weeks."

Even his old friend, Bob Haldeman, he added, traveled a different circuit pursuing his administrative responsibilities of a chief of staff, not the substantive issues of domestic affairs which concerned Ehrlichman. They were not "Siamese twins," as Ehrlichman put it.

Yet, they met every morning to chitchat in the White House mess. Now that they are both in trouble, they share the same lawyer. And Ehrlichman's version of who knew what about Watergate did not damage his old friend from California in any way. Their defense—and the President's—depends on one another, despite the distance that Ehrlichman tried to establish.

1970 Intelligence Plan

In the same manner, Ehrlichman's self-portrait of the nonpolitical "issue" man. He did seem to be on hand usually when so many of the cru-

cial plans of secret intelligence-ing were drawn or implemented.

Back in 1969, as White House counsel, it was he, Ehrlichman admitted, who secretly hired Tony Ulasiewicz, the retired New York City detective, to dig up political dirt on potential opponents, to investigate sexual and drinking habits. The following summer, after he had become assistant to the President, he was called into the meeting where the controversial 1970 intelligence plan was discussed, the one in which Mr. Nixon authorized breaking-and-entering as an investigative technique.

"Why were you called to the meeting?" asked chief counsel Samuel Dash.

"Well, I do not know that," Ehrlichman answered. "There were quite a few spear carriers at the meeting from the White House staff and I was simply there to get information."

Likewise, despite his deep involvement in welfare reform and other major problems, it was Ehrlichman to whom the President turned in mid-summer of 1971 to set up the Special Investigations Unit, the "plumbers," who a few weeks later burglarized the Los Angeles doctor's office where they hoped to find psychiatric records on Daniel Ellsberg.

The same burglars were employed about seven months later by the Committee for the Re-election of the President for the first Watergate job but no one has claimed that Ehrlichman had advance knowledge of their new assignment outside the government.

But Ehrlichman acknowledged that in the fall of 1971 he was shown the prospectus of a forerunner plan for political intelligence—the "Sandwedge" operation unsuccessfully proposed by his former aide, Jack Caulfield. Ehrlichman told Caulfield he wasn't the man to pass on such matters.

Abortive Plot

Ehrlichman had other close connections with government wiretapping, however. He personally authorized some of them, both as counsel and as assistant for domestic affairs. Some of the taps are still a secret because the White House insists on their "national security" sensitivity.

And when Assistant Attorney General Robert Mardian was spiriting wiretap records out of the Justice Department in the fall of 1971, the logs of the so-called "Kissinger taps" of newsmen's telephones, Mardian took them to Ehrlichman for safekeeping—at the President's direction.

In the pre-Watergate period, Ehrlichman had at least one other brush with espionage—sabotage—the abortive plot to blow-bomb the Brookings Institution. Ehrlichman acknowl-

continued

28 JUL 1973

Ehrlichman Disputes White House Many Others on Cover-Up

STAT

Sen. Lowell P. Weicker (R-Conn.) read Ehrlichman portions of a June, 1972, memo by deputy CIA director Gen. Vernon G. Walters indicating that Haldeman and Ehrlichman were attempting to force the CIA to restrain the FBI's investigation of the Watergate affair. Weicker also read Ehrlichman a statement by CIA Director Richard Helms saying that Haldeman had told Walters "in no uncertain terms" to have the CIA restrain the FBI.

Ehrlichman remained firm in his description of the CIA contacts as being only to see if the FBI investigation would expose CIA activities and not to otherwise restrain the FBI's Watergate investigation. He added, however, that Haldeman "would be your best witness" as to what Haldeman said to Walters.

27 JUL 1973

Excerpts From Ehrlichman's Testimony Before the Senate Committee on Watergate

Special to The New York Times

WASHINGTON, July 26—Following are excerpts from the transcript of testimony by John D. Ehrlichman today on the 29th day of hearings on the Watergate case before the Senate Select Committee on Presidential Campaign Activities:

AFTERNOON SESSION

SENATOR ERVIN: You spoke of the Kerner Commission and the Warren Commission. Both of these commissions were appointed by the president in office at the time of their appointment and both of them worked in public, di they not?

MR. EHRLICHMAN: Yes, sir.

Q. And in that respect they were unlike the plumbers who were appointed in secret and whose identity was kept secret from the American people.

A. Well, Mr. Chairman, first of all, their identity was not kept secret. It was the subject of newspaper stories.

Secondly, the reason that I cited you to the reports of those commissions was because they both discussed, or so my information is, they both discussed the use of psychiatric profiles with relation to United States citizens and, of course, one of them brought me to the realization that the Secret Service does conduct such an activity with relation to United States citizens in aid of its protection of the President and the Vice President and others in trying to determine in advance who might be threats to assassination attempts.

So it goes to the point that you raised yesterday that such a technique would be illegal with regard to United States citizens.

Q. Well, was not the existence of the plumbers kept secret from the F.B.I., C.I.A. and other investigative agencies of the Government? A. No.

Q. Did you tell Mr. Hoover about them? A. Yes, sir, and we also told the Attorney General.

Q. But anyway, you spoke in derogatory terms of Mr. Hoover. A. No, I do not intend any deprecation of Mr. Hoover.

Q. Well, you said he should have quit the office, that he did not know enough about surveillance, although he had spent his lifetime in it. A. I did not say that and I would not intend to say that, Mr. Chairman.

Different Ideas

Q. Well, you said he had different ideas about surveillance from what the White House had. No. Q. Well, you said he would not cooperate with the White House. A. What I said was that in a specific instance he had very fixed ideas about the degree to which the bureau should cooperate in this [Ellsberg] investigation.

Q. Yes. He had very fixed ideas when the President appointed Tom Charles Huston to devise him a method of having American citizens spied on. Mr. Hoover had the fixed idea that they ought not to resort to burglary, that they ought not to resort to the use of undercover military agents, that they ought not to resort to virtually unlimited surveillance, and they ought not to resort to mail cover, and that was stated by Tom Charles Huston in documents put in

evidence here about 15 times before the President approved those documents. So he did not cooperate.

I am going to say, to speak for his defense beyond the grave since he is not here. I call attention to the fact that Tom Charles Huston told the White House 12 or 15 times in documents recommending burglary, recommending the use of undercover military agents, recommending mail coverage, recommending virtually unlimited surveillance. Twelve or 15 times he [Mr. Hoover] protested against the use of those things and yet the President approved them. And here in the very letter that he wrote to the man who had charge of the surveillance or the effort to get the record of the psychiatrist, here on Aug. 3, a month before the break-in, he said that "If he, Egil Krogh, if you concur we will proceed with interviews of all of the remaining individ-

And knowing Mr. Hoover's ideas, I think he made the

exception because he did not make it a practice to interview people who were under indictment.

So there he was willing to cooperate and another thing, along about this time, as a member of the United States Senate, I was fighting the efforts of the Administration to get no-knock laws enacted, to get the detention laws enacted, to expand by executive fiat the powers of the Subversive Activity Control Board, and I was fighting against the proposition of being defender of the Department of Justice that it was all right to use undercover military agents to spy on civilians exercising their First Amendment rights.

Hoover Eendorsement

And about at that time I got a letter from J. Edgar Hoover, "You have indeed been one of the guardians of our liberties and protectors of four freedoms. All Americans owe you a debt of gratitude."

I don't offer that as any praise of myself but I offer that as evidence of Mr. Hoover's devotion to the basic rights of American citizens, the rights not to be burglarized, and I think that since he can't speak for himself that his comments ought to be able to convey his attitude. I can understand, having heard this testimony, about the Ellsberg matter, why you say that Mr. Hoover would not cooperate with the White House, and he was on the side of liberty.

Now, you testified that the plumbers attempted to get the records of the psychiatrist in order that someone of the C.I.A. or somebody else, might develop a psychiatric profile to enable President Nixon to determine for himself whether Ellsberg was some kind of a kook or was some kind of a foreign intelligence agent. Is that what you told us?

A. Well I don't think its a question of the President determining for himself, Mr. Chairman. I think this was an effort on the part of the special unit to do as they had done in other cases subsequently to determine where in the Federal Government itself or in the Rand Corporation or these outside units

that would permit a person like Ellsberg and his co-conspirators if there were any, to steal massive quantities of top secret documents and turn them over to the Russians.

Q. Well, I can't harmonize with your statement to Senator Weicker that they were not attempting to get the psychiatrist's record for the purpose of assisting in the prosecution of Mr. Ellsberg, and that they were getting them in order that the President might satisfy himself on certain points.

Presidential Power

A. Well, the President, of course, is charged with the proper administration of the departments of the executive branch, the Defense Department, the State Department, the C.I.A. and the outfits like the Rand Corporation and others that contract with those departments, and they have possession of secret documents.

Now, when you have a situation like this one, and you have information coming in from the Justice Department that this individual is involved in a conspiracy, and you have the surrounding circumstances of the delivery of these documents to the foreign embassy, it is incumbent upon the President, as the executive of this executive branch, to satisfy himself that he has done everything possible to be sure that such a thing does not occur in the future, and in order to do that he has to be in a position to know what happened here. Now that was the process that was under way, and I think you will agree with me that that is a proper executive role.

Q. Well, I believe Congress set up the F.B.I. to determine what was going on in this country, didn't it? A. Among other things, Mr. Chairman.

Q. Yes. It set up the C.I.A. to determine what was going on in respect to foreign intelligence, didn't it? A. Yes, sir. Among other agencies.

FOR PUBLIC AFFAIRS STAFF

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| PROGRAM | Senate Watergate Hearings | STATION | WRC TV NBC Network |
| DATE | July 27, 1973 4:10 P.M. | CITY | Washington, D.C. |

EXCERPT FROM THE TESTIMONY OF JOHN EHRLICHMAN

SENATOR LOWELL WEICKER: On the same day, according to Mr. Gray's statement to this committee and General Walters' memo of June 28, 1972, Mr. Gray routinely inquired into the possible CIA involvement in the Watergate case and was told by Director Helms that there was no involvement. The next day, on June the 23rd, you and Mr. Haldeman called Mr. Helms and General Walters to a meeting in your office, which meeting General Walters characterized as follows. And I think it important to read this memorandum.

Memorandum for the record. This is General Walters.
June -- 28 June 1972.

"On June 23rd, 1300, on request, I called with Director Helms on John Ehrlichman and Robert Haldeman in Ehrlichman's office at the White House. Haldeman said that the bugging affair at the Democratic National Committee headquarters at the Watergate apartments had made a lot of noise and the Democrats were trying to maximize it, the FBI had been called in and was investigating the matter, the investigation was leading to a lot of important people, and this could get worse. He asked what the connection with the agency was, and the Director repeated that there was none. Haldeman said that the whole affair was getting embarrassing and it was the President's wish that Walters call on acting FBI Director Pat Gray and suggest to him that since the five suspects had been arrested that this should be sufficient and it was not advantageous to have the inquiry pushed, especially in Mexico, etcetera."

And may I stop here for one second? The reason for my reading this memorandum to you is that obviously there are four participants in this meeting and I want each one to have a chance to go ahead and comment on it. And even though all of it doesn't apply to you, you are there, you're one of the participants at this meeting.

"Director Helms said that he had talked to Gray on the previous day and made it plain to him that the agency

27 JUL 1973

Ehrlichman Invokes Privilege on Plumbers

STAT

During his interrogation of Ehrlichman, Ervin turned to the FBI's investigation of the Watergate affair. Ervin probed the relationship between the FBI investigation and what Ehrlichman has described as Mr. Nixon's "concern" that the Watergate investigation not endanger any CIA activities.

Ehrlichman said that at President Nixon's instruction White House chief of staff H. R. (Bob) Haldeman had arranged a meeting between Haldeman and Ehrlichman and CIA Director Richard Helms and Deputy CIA Director Gen. Vernon A. Walters "to discuss the question of whether a full, all-out vigorous FBI investigation might somehow turn up and compromise some on-going CIA activity."

Ehrlichman has testified that "some problems" were discovered and that Walters subsequently met with acting FBI Director L. Patrick Gray III. When it was then determined that the Watergate investigation would not endanger any CIA operation, Ehrlichman said, "the President's instructions to the FBI were to conduct a totally unlimited all-out, full-scale investigation of that and every other aspect of this Watergate matter and that Mr. Gray, and Mr. Gray alone, was to determine the scope. That the President would not limit the scope at all."

During his examination of Ehrlichman, Talmadge cited a memo that Deputy CIA Director Walters had written on July 6, 1972, concerning a conversation he had had that day with acting FBI director Gray.

"In all honesty," Walters said in the memo, "I could not tell him (Gray) to cease future investigations on the grounds that it would compromise the security interests of the United States. Even less so could I write him a letter to this effect."

"He (Gray) said that he fully understood this. He himself had told Ehrlichman and Haldeman that he could not suppress the investigation of this matter," Walters said.

"Gray thanked me for my frankness," the Walters memo continues, "and said that this opened the way for fruitful cooperation between us. He would be frank with me, too. He could not suppress this investigation with the FBI. He had told (Attorney General Richard) Kleindienst this. He had told Ehrlichman and Haldeman that he would prefer to resign, but that his resignation would raise many questions that would be detrimental to the President's interests."

"I do not believe," Ehrlichman said after parts of the memo were read to him by Talmadge, "that there is anything in it which asserts that I ever asked Mr. Gray to suppress the investigation."

"I wondered why he (Gray) would volunteer mentioning the fact that he had told you if you had not asked him," Talmadge said.

"For this simple reason," Ehrlichman said, "that following our meeting with director Helms and Gen. Walters on the 23d of June, he had a series of conversations with Gen. Walters, and the subject of those conversations, as I understand it, was a question of whether or not the FBI could press forward with its investigation . . . without compromising some CIA operation, and Mr. Gray informed me, as he informed the President, that he could not possibly conduct his Watergate investigation without looking into that aspect of it."

Colby OK Is Likely Despite Watergate Taint

By Oswald Johnston
Star-News Staff Writer

Despite lingering doubts over the CIA's possible role in Watergate and its documented role in Southeast Asia, William E. Colby has moved to within a final floor vote of Senate confirmation to be director of Central Intelligence.

With only Sen. Harold R. Hughes, D-Iowa, dissenting, the Senate Armed Services Committee yesterday agreed to approve Colby's nomination.

The vote was taken with the record of Colby's confirmation hearings still incomplete in two key areas. Written questions, seeking written replies, were submitted Monday for more information on agency actions in Watergate and in Vietnam and Cambodia.

The Watergate questions were submitted by Sen. Edward M. Kennedy, D-Mass., a non-committee member who was given rare access to Monday's closed hearings. They are understood to concentrate on problems surrounding the CIA's relationship with early stages of the grand jury investigation of Watergate, in which agency officials are said by informed sources to have been only grudgingly cooperative.

UNTIL KENNEDY'S intervention, congressional investigation of CIA relations to Watergate had concentrated on two areas:

Aid to Watergate conspirators E. Howard Hunt and G. GORDON Liddy when they were planning the burglary of Daniel Ellsberg's psychiatric records in 1971; and relations with White House officials seeking to enlist agency cooperation in interfering with an FBI probe of the Watergate break-in.

A third Watergate problem involving the CIA has only been hinted at in testimony, depositions and other public statements in the past three months. But it

clearly grows from the fact that the former chief Watergate prosecutor, U.S. Atty. Earl J. Silbert, was not told the details of the 1971 link with Hunt until shortly before the January trial of the Watergate defendants. Silbert did not learn of the Ellsberg burglary until late in April.

Kennedy's investigation of Silbert's problems with the CIA have evidently focused on Colby because the director-designate during all of 1972 held the chief administrative post in the agency, and as such was assigned by the former director, Richard M. Helms, too coordinate Watergate matters with other investigative agencies in the government.

COLBY DOES NOT seem to have had any part in the June 1972 meetings at which Helms and the deputy director, Gen. Vernon A. Walters, were urged by White House officials to interfere with an FBI probe of Republican campaign funds related to Watergate.

But available public records suggest that he was omnipresent when Silbert sought to check out Hunt's past CIA background in his pretrial investigation last fall.

CIA documents describing the relationship with Hunt before the 1971 Ellsberg burglary were turned over to the FBI's acting director, L. Patrick Gray, in early July 1972. But these appear not to have reached Silbert until the following November.

On Oct. 11, Silbert sought to smoke out the CIA-Hunt link in a series of written questions addressed to the agency. According to one well-informed account, Helms tried to intervene with then Atty. Gen. Richard Kleindienst in an unsuccessful effort to keep a full account of the agency's dealings with Hunt out of the prosecutor's hands.

IN ANY EVENT, it took a full-scale review of the material by Kleindienst himself and Asst. Atty. Gen. Henry E. Petersen on Oct. 24 before that aspect of the investigation developed.

Silbert himself did not see the letters and memos describing the CIA supply during 1971 of disguises and other material to Hunt until Nov. 27. He followed up his earlier questionnaire, still unanswered, with added written questions Nov. 29.

A preliminary answer to Silbert's questionnaire finally was supplied by CIA authorities Dec. 13.

WHILE COLBY'S name has barely been mentioned publicly in connection with Watergate, it is understood that he did most of the actual negotiation with the prosecutor and the Justice Department over these matters.

And while Silbert, who has now resigned from the Watergate investigation, declines comment, it was understood the prosecutors feel their early investigation was hampered by the CIA refusal to come forward with information regarding Hunt and his aliases, for example, which instead had to be developed for the grand jury through a lengthy investigation of all the hotels that Hunt and Liddy stayed at during their travels as White House operatives.

After the CIA reply, Silbert still sought more documentary evidence. On Dec. 5, Helms and Colby met directly with John W. Dean III and Edwin D. Ehrlichman, then still White House aides, in order "to review facts to be submitted to the U.S. attorney re Hunt," Ehrlichman later testified.

At that meeting, it was evidently decided that the CIA would prepare a memo for Silbert describing the genesis of Hunt's 1971 relationship with the agency, but that Ehrlichman him-

self, who was implicated in CIA records, would first see it to review it.

ON DEC. 16, according to an Ehrlichman account, Ehrlichman telephoned Marine Commandant Gen. Robert E. Cushman Jr., who was CIA deputy through 1971, to discuss with him the memo Cushman was to prepare for Silbert. Cushman, then out of the agency for a year, had been requested by Colby to clear his memo through Ehrlichman, the Marine general later recalled, so he found nothing unusual in this.

Neither, evidently, did he find it out of the ordinary in early January when Ehrlichman asked him to tear up his first memo, which named Ehrlichman in relationship to the CIA-Hunt contact, and prepare another, more vaguely-worded memo from which Ehrlichman's name would be absent.

The committee action yesterday seems to make it plain that Colby's quiet but omnipresent role in these transactions will not be held against him, but rather interpreted to reflect instructions from Helms or higher authorities.

THE CAMBODIA question is likewise problematic. While the State Department has disputed a recent Star-News report that 10 U.S. officials assigned to provincial posts in Cambodia are military advisers in

BALTIMORE, MD
25 JUL 1973

Ehrlichman says Nixon justified burglary of psychiatrist

Fred J. Thompson, minority counsel for the committee, raised the point of alleged efforts made by the White House to involve the Central Intelligence Agency in the Watergate affair, referring to Mr. Nixon's May 22 statement in which he stressed that he had to be "deeply concerned with insuring that covert operations of the CIA ... should (not) be compromised."

Instructions to that effect, according to the President, had been given to Mr. Haldeman and Mr. Ehrlichman, who were to coordinate with Gen. Vernon Walters, deputy director of the CIA, and L. Patrick Gray 3d, acting chief of the FBI.

Further instructions

Mr. Ehrlichman said that a meeting with General Walters and Mr. Gray led to a "series of conversations" ending around July 6 or 7, 1972, followed by further instructions from Mr. Nixon to Mr. Gray.

"Those instructions were that 'in view of the CIA's conclusion that there was no danger of such exposure, to go all out with an FBI investigation.'"

The witness added that when the President asked that he and Mr. Haldeman meet in June with Richard Helms, then head of the CIA, and General Walters "he obviously had a separate source of information to the effect that there might

be CIA involvement or there might be CIA operations that somehow could be compromised by an unlimited FBI investigation."

He noted that at that June meeting, Mr. Haldeman had emphasized the President's feeling that a "full, complete, unlimited FBI investigation of the Watergate matter" must be conducted.

"It had become a serious political issue, and the only tenable political position for him to be in was to turn the FBI loose on this," the witness

said.

Asked if Mr. Haldeman had instructed General Walters to tell Mr. Gray to "in effect, hold off with regard to the Mexican investigation [of Nixon campaign money turning up in Mexican banks] because of CIA involvement," Mr. Ehrlichman said the Mexican matter was a point on which there was no "categorical assurance" from the CIA that an FBI investigation would not create problems.

Salary money

Mr. Thompson—You would not know whether or not John Dean on June 7, 1972, went to Walters and told him it would be good if the CIA could help raise bail money, would help raise some salary money, that the witnesses were wallowing and could be in trouble?

Mr. Ehrlichmann — I read that in the newspaper and it really surprised me. I wondered at the origin of this until I heard Mr. Dean's testimony which was that he had been asked by Mr. Mitchell to do this. I had in effect set this up without knowing it by telling Walters that Dean was his White House contact.

Question—Dean did not report back to you?

Answer—Not about that.

On the subject of the money being raised to pay the Watergate defendants, Mr. Ehrlichman said he had become aware in late June, 1972, through Mr. Dean "that the defendants were losing their attorneys, attorneys were quitting, they were not being paid."

"John Mitchell felt very strong," he said, "that it was important to have good legal representation for these defendants for a number of reasons—for political reasons, but also because we had these civil damage suits that had been filed by the Democrats against the re-election committee."

Ehrlichman, Nixon Statements Clash

By Martha Angle
Star-News Staff Writer

John D. Ehrlichman, formerly one of President Nixon's two closest advisers, has directly contradicted one of the key assertions in Nixon's May 22 statement on the Watergate operation and its cover-up.

In that statement, the President said that "within a few days" of the June 17, 1972, break-in at Democratic headquarters, he became "deeply concerned" that the Watergate investigation might lead to disclosure of covert Central Intelligence Agency activities or the operations of the secret White House "plumbers" unit.

"Therefore, I instructed Mr. (H. R.) Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigations unit ..." Nixon said.

BUT EHRLICHMAN yesterday told the Senate Watergate Committee he received no such instructions from the President.

Ehrlichman said Haldeman did tell him Nixon "wanted me to sit in on" a June 23 meeting with CIA Director Richard Helms and Deputy Director Vernon A. Walters at which there was a discussion about possible CIA involvement in Watergate.

But it was not until a July 6 meeting with the President, Ehrlichman said, that he learned "that his concerns were as they are set forth in that statement -- that disassociated, unrelated to the Watergate in any way, there might be CIA operations which would be uncovered ... and the CIA would be compromised."

Ehrlichman said the only time the President instructed him to make sure the activities of the "plumbers" unit -- set up to investigate news leaks -- were kept secret was "five or six months" before Watergate, around January 1972.

MINORITY COUNSEL Fred D. Thompson repeatedly tried to elicit a response from Ehrlichman that would conform to the President's May 22 statement, but Ehrlichman refused to cooperate.

"But you felt in your mind after the Watergate break-in and after, say, July 6th, 7th anyway, that you did have instructions -- however they came about -- to insure that covert CIA operations and the plumbers operations unrelated to Watergate were not exposed?" Thompson asked at one point.

"No, no -- I think you have misunderstood me, Mr. Thompson," Ehrlichman replied.

A few moments later Ehrlichman said that "frankly, the question of the special unit (the plumbers) simply never entered my mind at that time as a potential problem. It just was not in contemplation and it was not in the contemplation of anybody that I was talking to, so far as I recall."

Thompson asked if it hadn't occurred to Ehrlichman that the activities of two of the "plumbers," G. Gordon Liddy and E. Howard Hunt -- later convicted as Watergate conspirators -- might have proved embarrassing, since they had been involved in the September 1971 burglary of the office of Daniel Ellsberg's psychiatrist.

"I ASSURE YOU, Mr. Thompson, it just was not in my consciousness," Ehrlichman said.

"It evidently crossed the President's mind," Thompson observed.

Ehrlichman, in other testimony yesterday, contended that the break-in at the office of Ellsberg's psychiatrist was "within the President's inherent constitutional powers" to protect national security.

Furthermore, Ehrlichman said, when he first discussed the matter with Nixon in March of this year,

"he expressed essentially the view that I have just stated ... that he considered it to be well within the constitutional ... obligation and function of the presidency."

SEN. SAM J. ERVIN Jr., D-N.C., chairman of the special Watergate committee and a leading constitutional authority, vehemently disagreed with this assertion and a related Ehrlichman contention that a 1968 wiretapping law offered tacit sanction to such operations.

Ehrlichman said the law recognized the President's right to "protect national security information against foreign intelligence activities."

Ervin said the "opinion of Ellsberg's psychiatrist about his intellectual or emotional or psychological state" had nothing to do with foreign intelligence activities.

"HOW DO YOU KNOW that, Mr. Chairman?" Ehrlichman asked.

"Because I can understand the English language. It is my mother tongue," the chairman shot back -- to a prolonged burst of cheers and applause from the Caucus Room audience.

Ehrlichman acknowledged approving an Aug. 11, 1971, recommendation by Egil Krogh Jr. and David Young, White House aides in charge of the "plumbers," that a "covert operation be undertaken to examine all the medical files still held by Ellsberg's psychoanalyst."

But he insisted the phrase "covert operation" had not conveyed to him any hint that a break-in was contemplated.

HE DID SAY the break-in at the psychiatrist's office was "within the President's authorization" which he assumed

FOR PUBLIC AFFAIRS STAFF

PROGRAM Watergate Hearings

NBC Network

DATE July 24, 1973 Afternoon Session CITY Washington, D.C.

EHRlichman TESTIMONY CONCERNING CIA

SAMUEL DASH: Let me read to you a memorandum, and then I'll have it shown to you. Would someone bring to Mr. Ehrlichman and his counsel a copy of the memorandum and also have it distributed to the members of the committee?

The memorandum is dated August the 11th, 1971, and it's a memorandum to you from Bud Krogh and David Young.

"Subject: Pentagon Papers Project, Status Report as of August 11th, 1971."

I think the relevant portion is in paragraph two, rather than the progress report of one. And let me just read paragraph two.

"We have received the CIA preliminary psychological study, copy attached at Tab A, which I must say I am disappointed in and consider very superficial. We will meet tomorrow with the head psychiatrist, Mr. Bernard Malloy, to impress upon him the detail and depth that we expect. We will also make available to him here some of the other information we have received from the FBI on Ellsberg."

Now, most significant.

"In this connection, we would recommend that a covert operation be undertaken to examine all of the medical files still held by Ellsberg's psychoanalyst covering the two-year period in which he was undergoing analysis."

And there is a provision here for approve/disapprove. There is an "E," which I take it you would recognize as your "E," and in handwriting, which I would ask if it's your handwriting, at the "approve," and the handwriting is, "if done under your assurance that it is not traceable."

JOHN EHRlichman: That's correct.

The Sto So Far

By J. Anthony Lukas

Chief Newman, my coach, an American Indian, produced some very fine teams at that small, little college at Whittier There were no excuses for failure. He didn't feel sorry for you when you got knocked down. He had a different definition of being a good loser. He said: "You know what a good loser is? It's somebody who hates to lose. . . ."

—Richard M. Nixon,
at Pro Football Hall of Fame dinner,
July 30, 1971.

IN the raw winter of 1970, Richard Nixon looked like a loser. From balmy San Clemente and Key Biscayne, White House aides strove earnestly to put the best possible face on the returns in that November's midterm elections. But back in Washington a consensus was hardening, like ice on the Mall's reflecting pool, that the election constituted a serious setback for the President and an ominous portent for 1972.

The G.O.P. did gain two seats in the Senate and lost only 12 in the House—less than the party in power generally does at midterm. But it also lost 11 governorships and some key state legislatures. Except for Tennessee, the ballyhooed Southern strategy failed to gain the Republicans any ground below the Mason-Dixon line. And they did badly in many of the largest states — notably California, Ohio, Pennsylvania, Michigan, Texas and Florida—where the 1972 election would almost certainly be decided. When 28 Republican Governors and Governors-elect gathered that December among the snowy peaks of Sun Valley, Idaho, their standing joke was that they should have met at Death Valley. Gov. Edgar D. Whitcomb of Indiana, which gave Mr. Nixon his biggest majority in 1968, said the President was in trouble even there. Columnists Rowland Evans and Robert Novak

—After the election, the President met with his senior aides at Key Biscayne to—in one aide's words—"go over the game films." Later

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Dean Is Said to Balk at 67 Questions

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, July 19 —

John W. Dean 3d, former counsel to the President, reportedly invoked the Fifth Amendment 67 times today, refusing to confirm Watergate information he gave last month to a Senate investigating committee.

His refusal to answer questions of a House Armed Services subcommittee today was attributed by subcommittee officials to the fact that the panel had not granted him immunity from prosecution, such as he received from the Senate Select Committee on Presidential Campaign Activities.

A witness granted immunity by a Congressional committee cannot be prosecuted later in the courts for anything he says before that panel, unless the prosecutor can prove that the facts he has were developed independently of that testimony.

When Mr. Dean and his attorney, Charles N. Shaffer, emerged from the hearing room today, they refused to answer questions of reporters lining the hallway of the Rayburn House Office Building.

Answered Routine Queries

Later, Representative Lucien N. Nedzi of Michigan, chairman of the House subcommittee, disclosed that Mr. Dean had invoked the Constitution's Fifth Amendment guarantee against being required to give testimony that might tend to incriminate him. Invoking the Fifth Amendment is not considered an admission of guilt.

Mr. Nedzi said that Mr. Dean invoked the Fifth Amendment to 67 questions, answering only routine questions about his age (he is 33 years old) and background.

While conceding that the House subcommittee has the "benefit of testimony" given by Mr. Dean in great detail during five days before the Senate's Watergate investigating committee, Mr. Nedzi said that his own panel wanted to explore with him the "information we have that has not come up in the Senate hearings." He declined to say what that information was.

The Nedzi subcommittee has questioned nearly 20 witnesses in the last two months about involvement of the Central Intelligence Agency in the Watergate affair. The subcommittee oversees that agency.

Mr. Nedzi said that the subcommittee had reached "tentative conclusions" as to who had masterminded the attempt to use the agency as a cover-up for the break-in at Democratic

National Committee headquarters in the Watergate complex a year ago.

"I'm not prepared to say what those conclusions are, however," he added.

One matter that the subcommittee had hoped to explore more fully with Mr. Dean, according to Mr. Nedzi, was his earlier testimony before the Senate committee that Robert C. Mardian, a Nixon re-election campaign official, had been the first to suggest to Mr. Dean that the intelligence agency might be enlisted as a cover-up for the Watergate affair.

Mr. Dean testified last month that at a meeting in the office of the then Attorney General, John N. Mitchell, on June 24 of last year, "Mardian first raised the proposition that the C.I.A. could take care of this entire matter if they wished."

He further testified that Mr. Mitchell then suggested that he [Mr. Dean] explore with John D. Ehrlichman and H. R. Halde- man, President Nixon's two top aides, "having the White House contact the C.I.A. for assistance."

Mr. Dean said that Mr. Ehrlichman "thought it was a good idea" and told him to call Gen. Vernon A. Walters, deputy director of the C.I.A., because he was a good friend of the White House, and the White House had put him in the deputy director position so they could have some influence over the agency.

Subsequently, Mr. Dean went on, he held several meetings with General Walters and sug-

gested that the agency provide support for the jailed Watergate defendants. He said that General Walters refused to go along.

Attorney Objects

Mr. Dean was subpoenaed by the Nedzi subcommittee in early June but asked that he be allowed to testify first before the Senate Watergate committee. Mr. Nedzi said today that Mr. Dean assured the subcommittee at that time that he would appear at a later date.

After a second subpoena was issued for his appearance this week, Mr. Dean's attorney objected to his client's being called on to testify, according to Mr. Nedzi.

"He told us that if word got out that Mr. Dean had taken the Fifth Amendment, it would be prejudicial to his rights," Mr. Nedzi said.

Dismissing Mr. Dean and his counsel from the room temporarily, the subcommittee reviewed the matter and decided to go ahead with the questioning, Mr. Nedzi said.

Mr. Dean was the third former White House aide to invoke the Fifth Amendment before the several Congressional investigations under way into the Watergate affair. Egil Krogh Jr. and David R. Young Jr. invoked the Fifth earlier this week before the Nedzi subcommittee.

G. Gordon Liddy, a convicted Watergate conspirator who has refused to divulge any information, will appear before the subcommittee tomorrow.

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Excerpts From Testimony Before the Senate Committee Investigating Watergate

Special to The New York Times

WASHINGTON, July 19—Following are excerpts from the transcript of testimony today on the 24th day of hearings on the Watergate case before the Senate Select Committee on Presidential Campaign Activities:

AFTERNOON SESSION

MR. HAMILTON: Mr. Mardian, when we broke for lunch we were discussing the meeting in Mr. Mitchell's apartment on the evening of June 19 [present also were Magruder, LaRue and Dean]. Now, at this meeting was there any discussion as to burning or otherwise destroying a Gemstone file or any other sensitive file?

A. In my presence. I never heard the word Gemstone until this investigation this year came out.

Q. Mr. Mardian, I would like to read portions of Mr. Magruder's testimony to you and Mr. LaRue's testimony to you of yesterday, and receive your comments. First from Mr. Magruder's testimony at page 1,913 and 1,914:

"Mr. Dash: Did you have a meeting on that evening, the evening of June 19, when you came back to Washington in Mr. Mitchell's apartment?

"Mr. Magruder: Yes. Mr. Mitchell flew back that Monday with Mr. LaRue and Mr. Mardian. We met in his apartment with Mr. Dean, Mr. Mardian and myself and the general discussion again was what we were going to do about the problem. It was again we had very little information. We did not, of course, know what type of investigation would then be had and we talked about times of alternative solutions. One solution was recommended in which I was to, of course, destroy the Gemstone file so I called my office and—

"Mr. Dash: That solution came up as a result of the meeting?

"Mr. Magruder: Well, I think, Yes. It was generally concluded that that file should be immediately destroyed."

Now reading from Mr. LaRue's testimony of yesterday at Pages 4,559 and 4,590:

"Mr. Dash: You said Mr. Magruder asked what he should do about these sensitive files?

"Mr. LaRue: Yes Sir.

"Mr. Dash: Did he get a response to that?

Discussion Denied

"Mr. LaRue: As I remember, there was a response from Mr. Mitchell that it

might be a good idea if Mr. Magruder had a fire."

Now, previous to that testimony, Mr. LaRue had testified that you were at that meeting. Do these portions that I have read of the testimony refresh your recollection as to what was discussed?

A. I heard the testimony and I just read Mr. Dean's testimony—or Mr. Magruder's testimony, I am sorry. No such discussion took place in my presence.

Q. Mr. Mardian, did you in the several days following June 19 have an occasion to interview Mr. Liddy? A. Yes.

Q. And who else was present in this interview? A. Mr. Fred LaRue. Mr. Liddy was reluctant to come to my office. He wanted to meet some place else, and we met in Mr. LaRue's apartment.

Q. Mr. Mardian, tell us what information Mr. Liddy imparted to you.

A. Mr. Liddy came into the room. The first thing he asked Mr. LaRue was whether or not he had a radio. Mr. LaRue indicated a radio which was in the corner of the livingroom. Mr. Liddy went over and turned the radio on and asked me to sit by the radio in a chair, and he sat in a couch, as I recall, that was next to an end table that the radio was on.

He apologized to me by saying something to the effect that it is not that I do not trust you, but his conversation cannot be recorded. My inference from that was he thought I had some kind of a device on me, possibly something in the room, I do not know.

He said that he wanted to hire me as his lawyer, as his personal attorney. I told him that I was acting as attorney for the committee and that I could not relieve myself of that responsibility to represent him. He then said it was imperative that he be able to talk to me in confidence and that under no circumstances could I disclose what he told me.

One of the things that he told me was that he had a message from Mr. Hunt, that Mr. Hunt felt that it was the committee's obligation to provide bail money to get his men out of jail.

'Nothing to Fear'

About the arrest of the five people, Mr. McCord and the others, their plight, he indicated to me that there was nothing to fear, because the only person that could identify Mr. Liddy was Mr. McCord and Mr. McCord would not divulge his identity, that the Cuban Americans were old soldiers who had worked in the C.I.A. with Mr. Hunt since the Bay of Pigs, and that they would never under any circumstances disclose Mr. Hunt's identity, and that the committee had nothing to fear in that regard.

I tried to convince him he would be identified, that his best bet was to give himself up rather than try to wait for them to arrest him.

He discounted this completely by saying, that this group had been operating together for some considerable period of time, that they were all real pros, that they had engaged in numerous jobs. And when I asked him what kind of jobs, he said, we pulled two right under your nose.

I inquired as to what he meant by that, and he said that they had invaded the office of the psychiatrist of Dr. Ellsberg and that they were the ones who got Dita Beard out of town.

I expressed my strong displeasure with respect to—pointed out that the worst thing that had happened in the hearings was that Dita Beard disappeared.

I asked him because of the Ellsberg break-in what, if anything, they had obtained? He told me that they had obtained nothing, that they had searched all the files and couldn't find his record.

I asked him on whose authority he was operating, and I wish to be very careful here, because I don't know that he used the name of the President, but the words he did use were clearly meant to imply that he was acting on the express authority of the President of the United States, with the assistance of the Central Intelligence Agency.

Magruder Blamed

He told me that the purpose of making this entry, that this entry was not of Mr. Hunt thought it was a good idea, that they had ob-

tained nothing from the bug that they had previously implanted in the place, but that he had, they made the entry at the insistence of Mr. Magruder.

Q. Did Mr. Liddy also say to you that the operations that he had been involved in such as the Ellsberg burglary and the Dita Beard incident had the approval of the President and the C.I.A. Is that a correct paraphrase, and if not, please correct me.

A. As I told you before, the staff, I don't recall, I can't say that he said the President of the United States, but the words he used or the word he used were meant to imply that, and that is the impression he left with me.

Q. That they had been approved by the President, that was your impression? A. Yes, sir.

Q. Now, did Mr. Liddy mention to you that he had shredded any documents?

A. Yes. In trying to demonstrate to me that there was no way of tracing him he told me he had shredded every bit of evidence that would have linked him to this operation as well as all the other operations. He told me he had even gone home—he has a habit, he told me, or a hobby, I should say, of collecting soap from the various hotels—he had taken the soap wrappers off and shredded all the soap wrappers.

He also told me that during this process he had shredded all of the \$100 bills that he had in his possession that were new and serialized.

He did make the statement that the committee could be assured that he would never talk and if they doubted that that, as Mr. LaRue testified, if we would tell him what corner to stand on he was ready to be assassinated.

Told to Look Elsewhere

I told Mr. Liddy that I did not think Mr. Mitchell would approve the use of committee funds to bail out the defendants and he should so advise Mr. Hunt, and that if Mr. Hunt had such good connections in the Miami [Cuban] community that they should look to that community for the bail.

John Dean Won't Answer Questions of Panel

By Susanna McBee

Washington Post Staff Writer

A reluctant John W. Dean III, fighting his forced appearance before a House Armed Services subcommittee, refused yesterday to answer questions about Central Intelligence Agency involvement in the Watergate scandal.

Dean, counsel to the President until Mr. Nixon fired him April 30, and his attorney, Charles N. Shaffer, refused to tell reporters why Dean invoked the Fifth Amendment in an hour-long closed session with the congressmen.

But Rep. Lucien N. Nedzi (D-Mich.), chairman of the subcommittee, explained that it had not granted Dean the limited immunity that he received when he testified for more than 25 hours.

Nedzi noted that his subcommittee had subpoenaed Dean before the Senate

Watergate committee did and had deferred to the committee only after receiving assurances from Dean's lawyers that Dean would then appear before the House group.

After he was asked the first substantive question, Dean—who had replied to queries about his name, address, birthplace, and date of birth—made it clear he was pleading the Fifth over a five-day period last month before the Senate Watergate Committee.

Limited immunity means that Dean's testimony before the Senate unit could not be used against him in any court proceeding, but evidence gathered by prosecutors independently of the blame for the incident since some of the defendants were former CIA agents. Walters said no to both requests, Dean told the senators. Senate hearings could be used.

Shaffer vigorously protested the House subcommittee's insistence that Dean appear, Nedzi reported. In a letter dated Wednesday, Dean's lawyers contended that "if word gets out that he has taken the Fifth, it will be prejudicial" to Dean, the congressman said.

After reviewing the lawyers' objections in a brief, private meeting, the subcommittee agreed to press its claim that Dean should comply with the subpoena it had issued him.

Amendment. Nevertheless, the subcommittee asked him 66 additional questions.

"We did so because we felt it was absolutely essential to make a complete record," Nedzi explained. Alluding to the fact that citing the amendment is not an admission of guilt, he added that it is "a legal privilege

which the committee has to recognize and wants to recognize."

Among the questions that Dean would not answer was one concerning his meetings with Gen. Vernon A. Walters, deputy director of the CIA.

Dean told the Senate Watergate committee last month that he tried in those meetings, held in late June, 1972, to get the CIA to provide money for support and legal fees for the seven men arrested in the Watergate break-in.

He also testified that he tried to find out whether the CIA would take the

Another unanswered question put to Dean was:

Did he know about the September, 1971, break-in, directed by the White House, of the Beverly Hills office of Dr. Lewis Fielding,

the psychiatrist of Daniel Ellsberg, who had leaked the Pentagon Papers to the press?

In another development that may relate to the Fielding burglary, special Watergate prosecutor Archibald Cox met yesterday with Sen. Stuart Symington (D-Mo.), chairman of the Armed Services Committee.

Symington's committee, like Nedzi's unit, has been looking into CIA involvement in the Watergate affair. The agency has admitted giving certain equipment—disguises, phony identification, a camera and a tape recorder—to E. Howard Hunt, a member of the White House "plumbers" team set up in July, 1971, to probe security leaks such as Ellsberg's disclosure of the Pentagon Papers dealing with American involvement in Southeast Asia.

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19 July 1973

Mr. Robert M. Ancell, Jr.

Dear Mr. Ancell:

It is a pleasure to enclose a copy of the curriculum vitae of Gen. Walters.

Sincerely,

/s/ Angus M. MacLean Thuermer
Angus MacLean Thuermer
Assistant to the Director

Enclosure

Approved For Release 2005/07/01 : CIA-RDP91-00901R000700100003-0

15 April 1973

*Sandy
I'll
dictate*

Lieutenant General Vernon A. Walters, USA
c/o Army Department
Washington, D. C.

Dear General Walters,

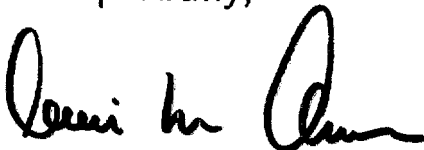
I am in the information-gathering phase of writing a book which I have tentatively entitled THE GENERALS AND THE ADMIRALS. It is a collection of biographies of all notable three and four star general and flag officers over the past thirty years. I want to include you.

Would you please send me a current biographical sketch? Once I've had an opportunity to inspect it, may I send you a few questions about specific experiences?

I would not expect you to respond favorably without first checking my qualifications. As a starter, I enclose a copy of the most recent article I have written, plus a partial listing of the gentlemen who have assisted me in the past. In addition, please feel free to contact the Office of Information of the Army, Navy, Air Force, and Marine Corps. They are familiar with my project.

I look forward to hearing from you.

Most respectfully,



Robert M. Ancell, Jr.

Grand Admiral Karl Doenitz: Reflections at 80

By Lieutenant (j.g.) Robert M. Ancell, Jr.,
U. S. Naval Reserve, Public Affairs Officer,
U. S. Navy and Marine Corps Training Center,
Albuquerque, New Mexico



I rate Admiral Doenitz as the best of all of them, land or sea. He was unique in his handling of the German submarines and they were our most dangerous enemy. His performance with them—and he did most of it himself—was the most outstanding Axis performance of the war. Then he succeeded to command all German Navy Forces. It was too late for real accomplishment, but he made no mistakes and no one could have done better. Then he succeeded the Fuehrer himself, and his performance from there on seems to me to have been perfect. So I think Doenitz was the best.

That is quite an endorsement, considering it came from a highly respected American admiral, the late Thomas C. Hart. Yet, Admiral Hart is not the only Allied leader who has said approving things about Grand Admiral Karl Doenitz; there seems to be a general feeling among many retired U. S. flag officers that Admiral Doenitz was a professional, and that makes a great deal of difference.

The former commander of the German Navy during the latter part of World War II, and heir to a bankrupt Third Reich as the hand-picked successor to Adolf Hitler, lives quietly in Bavaria. Now 80, Doenitz has been retired since his release from Spandau Prison in 1956. He spends more time now in a health spa than ever before, but his health is good for his age.

Since his release from prison, where he spent ten years following conviction at Nuremberg* as a war criminal, Doenitz has kept very much to himself. He grants a few interviews, hardly ever discusses current affairs, and politely refuses to comment on anything more recent than the mid-1950s. He still talks about World War II, however, and

* See R. A. von Doenhoff, "Nuremberg in Perspective," U. S. Naval Institute *Proceedings*, this issue, pp. 104-107.

many of his views appear to have changed but little in three decades. The following is an interview between this author and Admiral Doenitz, handled completely by mail for more than a year. It was finalized late in 1972.

Admiral Doenitz, why did Germany continue to fight even though you knew there was no chance for victory?

We knew of the English operational order named "Eclipse," which maintained plans and preparations for the Allied occupation of Germany. It called for Germany to be split into four sections under the now-existing governments. We knew of American Treasury Secretary Morgenthau's plan which, after victory, would have destroyed Germany to make it pastureland and an agricultural nation. If his plan would have succeeded, millions of Germans would have starved. For reasons decided at the Casablanca Conference, the Allies would have made peace with Germany but only under the condition that we surrender completely. That would have meant that German troops would stay where they stood at that time, lay down their weapons, and become prisoners of the enemy. That would have been three-and-one-half million soldiers on the Eastern Front which, in 1944 and 1945, stood very far inside Russia, and it would have been impossible to provide these troops with food and shelter, even with the best organization.

Who wants to lay down voluntarily when your enemy tells you to do so, and surrender, otherwise he will cut you into four pieces and do with them as he pleases? These were the reasons why we did not surrender. The decision to ask for unconditional surrender at Casablanca was a political mistake.

Why did the leaders of Germany keep the truth from the people, and the troops—that the war was hopeless?

As long as Germany's armed forces still had to fight, one could not make it openly known that Germany's defeat was

imminent. Through such notice, the will to fight, by the armed forces, that still was necessary, would have lessened. For example, in the East, the German armed forces still had to hold ground to prevent the Russian advance, and to give Germany's population a chance to flee to the West and possibly reach the West themselves. This might have been Hitler's reason not to admit Germany's defeat for the last few weeks.

As head of the German Navy, the decision to prolong the sea end of the war, in 1945, was yours alone. Why did the Navy, and especially the U-boats, continue to fight up until the very end?

In 1939, the German Navy was sent to war against the strongest seapower in the world—Great Britain—unquestioning and unequipped. Up to the last hour, during the War, the German Navy fulfilled its duty, and more, despite its small numbers.

The submarines, especially, had one more sacrifice to make in 1945—to go on fighting even when the enemy was superior and with no effect on the enemy, but only losses. If the submarines had not made this one last sacrifice, the enemy would have had enormous power which they would have used to attack Germany. So the submarines were called in. Let me mention one example. The hundreds of English and American airplanes which flew patrols looking for submarines would have instead been loaded with bombs and sent to bomb German cities. Large numbers of women, children, and civilians would have lost their lives. That is why the submarines had to make this one last sacrifice, which won the highest appreciation.

For many months after the war began in Europe, Adolf Hitler paid little attention to the Navy. Why did he ignore the Navy for so long?

Like all German Austrians, Hitler was raised with a continental philosophy. He still had hopes of coming to some agree-

ment with England, but then, when he realized that the English did not want any agreement, he decided that the English would be ready to talk peace if he defeated the Russians. He also wanted victory on the European continent, but it could only come from the sea. Seapower could have been used, but he did not realize the strategic importance of seapower until 1943. After the defeat at Stalingrad, Hitler's strategy broke down, and it was too late for a turn in war leadership and to turn over the battle to the Navy and seapower.

Hitler replaced Grand Admiral Erich Raeder as commander of the Germany Navy, and gave the job to you. What was your opinion of Raeder, Admiral?

I would like to limit myself in my judgment of his relationship to the German Navy. Through the years, when the Grand Admiral was still commander-in-chief of the Navy, he trained the Navy in his style. That was to tighten comradeship and discipline.

How did you get along with Hitler?

I myself never thought about receiving presents or money from Hitler, so I did not let it bother me when I was not included when others got money and presents. For example, he only called me Herr Gross Admiral and never by any other name, such as my first name. I welcomed it that way.

What were your feelings about fighting in the war?

I made an effort not to draw the line between honor and duty. I only followed my conscience, did my duty, and tried not to damage my honor.

How did you get along with your men in the Navy?

My relationship with the officers and men of the Navy was very good. We knew and respected each other, and the men knew I respected them for their character, duty, and skill and not for their rank. We had a military-like relationship, which gave them the assurance that there were values higher than one's life, namely one's duty to protect the lives of your own people first. As for Hitler, he was, after all, the commander-in-chief, and he had the responsibility to lead Germany politically and militarily. It is the same in every Democratic state.

What instructions did you give to the Navy?

The main role of Germany's Navy was to attack the British sea routes, especially in the Atlantic. These sea routes were Great Britain's life line. Industry depended on these sea routes both in peace and war. It was up to Germany's Navy to sink as many enemy transports as possible. The submarine had to find all the possibilities to sink enemy transports under the strong defense they put up. There also was competition among the submarines as to the tonnage of transport ships which were sunk, including ships which were sent from Anglo-American shipyards. It was the German Navy's task to destroy Britain's population. However, the German Navy did not do what they, the English, did, by bombing Germany.



Grand Admiral Karl Doenitz

Admiral Doenitz, do you think the plot to kill Hitler could have succeeded under different circumstances?

This question is humanly impossible to answer, because no person can see with safety into the future, not even in politics. In the years 1943 and 1944, a huge part of Germany's population, including soldiers, stood behind Hitler. I don't know the motives of those men who, on 20 July 1944, tried to destroy Hitler's regime. If German men and women, after searching their conscience, believed it necessary to go the way of resistance, up to high treason and assault, then this was morally not wrong.

What did you think about the SS?

Himmler and his organization were the kind of men who went behind the back

of German people and, under strongest secrecy, and mostly in East Germany, they committed those gruesome crimes of destroying people.

What about Rommel? Did his reputation reach the Navy?

I didn't know what the talk was about Rommel, except his very well known exploits. I cannot say if these stories are true or not.

Admiral Doenitz, how do you look back on the Nuremberg Tribunal?

In my last three books I wrote after my release from Spandau, on 30 September 1956, I occupied myself with questions about the Nuremberg trials. The trials at Nuremberg should have depended upon fundamental rights, but they did not. Only German cases came to Nuremberg to be prosecuted. I hold myself not guilty. I went behind bars for political reasons. This is, of course, not just my opinion. One case I know of is Judge Francis Biddle, at that time judge in Nuremberg. He ruled for my acquittal.

How important was the letter from Admiral Nimitz, presented in your defense at Nuremberg?

The report Admiral Nimitz made to my defense at Nuremberg was very valuable to me, because he assured the court that a leader of the American Navy performed in the same manner as the Germans did. I have the highest respect for Admiral Nimitz and other American admirals.

What did you do while imprisoned at Spandau, Admiral Doenitz?

At Spandau, I kept very much to myself. I occupied myself spiritually and physically to overcome boredom, and tried not to keep company with too many other prisoners.

One last question, Admiral Doenitz. As you know, Albert Speer recently published his memoirs, and they were very popular. You and Speer are the only big names still alive in Germany. What is your personal assessment of Speer?

Speer was positively excellent in architecture and a talented organizer. His performance as Arms Minister was remarkable. We have not seen each other since my release from Spandau.

THE FOLLOWING IS A PARTIAL LISTING OF THE OFFICERS WHO HAVE
ASSISTED ME WITH MY BOOK "THE GENERALS AND THE ADMIRALS"

| | |
|-------------------------------|--------------------------------|
| LTG Royal Allison, USAF | ADM Harry W. Hill, USN |
| GEN Samuel E. Anderson, USAF | VADM Roscoe Hillenkoetter, USN |
| VADM Walter Anderson, USN | GEN John E. Hull, USA |
| LTG Henry S. Aurand, USA | VADM Tom Inglis |
| VADM Bernard Austin, USN | LTG Carl Jark, USA |
| VADM Walter Baumberger, USN | GEN Harold Johnson, USA |
| VADM Jerry Bogan, USN | LTG William K. Jones, USMC |
| LTG Richard Bohannon, USAF | GEN Robert M. Lee, USAF |
| LTG Donald P. Booth, USA | VADM Emory Land |
| ADM Areligh Burke, USN | LTG Richard C. Lindsay, USAF |
| LTG Marshall Carter, USA | LTG Eugene LeBailly, USAF |
| GEN Ben Chidlaw, USAF | LTG Leroy Lutes, USA |
| ADM Jocko Clark, USN | GEN Lyman Lemnitzer, USA |
| GEN Lucius D. Clay, USA | ADM John S. McCain, USN |
| GEN Orval Cook, USAF | LTG Thomas McGehee, USAF |
| LTG Edward A. Craig, USMC | GEN Joseph McNarney, USAF |
| VADM Ralph Davison, USN | ADM Harold Martin, USN |
| LTG Pedro DelValle, USMC | LTG Herman Nickerson, USMC |
| LTG William W. Dick, USA | LTG John Oakes, USA |
| GEN George Decker, USA | GEN Emmett O'Donnell, USAF |
| GEN Jacob Devers, USA | GEN Bruce Palmer, USA |
| GEN Clyde Eddleman, USA | GEN Charles D. Palmer, USA |
| LTG Charles W. Eifler, USA | GEN E.E. Partridge, USAF |
| LTG Hugh M. Elwood, USMC | LTG Willard Pearson, USA |
| LTG William P. Ennis, USA | ADM A.M. Pride, USN |
| VADM Paul Foster, USN | ADM Francis W. Rockwell, USN |
| LTG Alonzo Fox, USA | VADM George L. Russell, USN |
| GEN Paul Freeman, USA | VADM Walter Schindler, USN |
| LTG Hobart Gay, USA | LTG August Schomburg, USA |
| VADM Robert Goldthwaite, USN | VADM T.G.W. Settle, USN |
| VADM Robert M. Griffin, USN | GEN Lemuel Shepherd, USMC |
| LTG Francis H. Griswold, USAF | LTG Merwin Silverthorn, USMC |
| GEN Alfred Gruenther, USA | VADM Hewlett Thebaud, USN |
| GEN Paul Harkins, USA | GEN Gerald C. Thomas, USMC |
| ADM Kent Hewitt, USN | GEN Earle Wheeler, USA |

NEW YORK TIMES
19 JUL 1973

'PLUMBERS' DATA REPORTEDLY KEPT FROM F.B.I. IN 1972

Gray and Peterson Are Said
to Have Withheld C.I.A.'s
Reports of Assistance

By DENNY WALSH

Special to The New York Times

WASHINGTON, July 9—For many months, two high Justice Department officials withheld information from Federal Bureau of Investigation agents that would have led the agents much earlier to the White House group set up to scrutinize Government leaks to newsmen, according to sources close to the F.B.I. Watergate investigation.

In early July of last year, less than a month after the Watergate break-in at Democratic national headquarters on June 17, the Central Intelligence Agency furnished the former acting director of the F.B.I., L. Patrick Gray 3d, with documentation of the aid provided by the C.I.A. to the cadre of White House operatives known as the "plumbers," the source said.

The three Federal prosecutors and F.B.I. field agents assigned to the Watergate case and related matters did not know that Mr. Gray had this material until it was discovered in his office safe after he resigned as head of the bureau on April 27.

Petersen Got Data

Last October, Henry E. Petersen, an Assistant Attorney General, obtained this information from the C.I.A. and, at the same time, learned that Mr. Gray had been in possession of the material for more than three months, according to the sources.

Mr. Petersen, then in charge of the Watergate investigation, did not pass the information to the F.B.I. agents working on the case, nor did he make it known that Mr. Gray had concealed the material, even when President Nixon nominated Mr.

Gray in February, 1973, to be permanent director of the bureau.

Mr. Gray was not available for comment. When Mr. Petersen was reached through a public information officer at the Justice Department, he said he had "no comment."

This information was pieced together by the New York Times after interviews with a number of persons familiar with the Watergate investigation and all its ramifications and from various public documents relating to the C.I.A.'s involvement with the Watergate conspirators.

The full scope of C.I.A. support of the "plumbers" was not known to the F.B.I. agents in the case until early in May, when it came to light independently of them, during the late stages of the trial of Dr. Daniel Ellsberg on charges growing out of his role in publicizing the Pentagon papers.

The agents are known to be angry that Mr. Gray and Mr. Petersen did not share the C.I.A. material with them, and contend that if they had had the information, much of what is now known about the "plumbers," including their burglary of Dr. Ellsberg's former psychiatrist's office, would possibly have emerged sooner.

A key element in the rancor of the agents is that part of the material that Mr. Petersen and Mr. Gray had, they believe, might have led them to knowledge of the burglary months before it was learned by Federal prosecutors in interviewing John W. Dean 3d, former counsel to the President, in April.

Included in the material turned over to Mr. Petersen by the C.I.A. on Oct. 24 was a photograph of G. Gordon Liddy, convicted Watergate conspirator, standing in front of the building in Beverly Hills, Calif., that houses the office of the psychiatrist, Dr. Lewis J. Fielding. Sources who have seen the picture said that a reserved parking space marked for Dr. Fielding could be seen in the background.

Both Mr. Petersen and Mr. Gray had information that E. Howard Hunt Jr., one of the Watergate conspirators who pleaded guilty, had requested that the C.I.A. have someone meet him upon his return from California on the morning of Aug. 27, 1971, to receive some-thing from him that he wanted.

Developments in April and May of this year disclosed that Liddy and Hunt, both part of the "plumbers" group at the time, had engineered the burglary of Dr. Fielding's office on Sept. 3, 1971, as part of a search for information about Dr. Ellsberg. Hunt told the Watergate grand jury here in May that he and Liddy went to California in August, 1971, "to make a preliminary vulnerability and feasibility study" of Dr. Fielding's office.

Tells of Photographs

He said that they "passed through" the building in which Dr. Fielding had his office and took some photographs "with a very special camera."

Mr. Gray had known since July, 1972, and Mr. Petersen since October, 1972, that the C.I.A. had in the summer of 1971 provided Hunt with, among other things, a commercial Tessina camera disguised in a tobacco pouch.

Records of the Beverly Hills Police Department show that the burglary was reported on Sept. 4, 1971, that a man arrested on Oct. 7, 1971, in connection with a theft from a woman's purse confessed to the burglary and that on Nov. 12, 1971, the man renounced the confession.

Some Justice Department officials feel it is "convenient hindsight" for agents to say they might have uncovered the participation of Hunt and Liddy in the burglary with the photograph and other information

held by Mr. Petersen and Mr. Gray.

"They [the agents] never had a chance," a source close to the F.B.I. investigation said. "How can you say they wouldn't have gotten to the burglary, when the best leads in the Government's possession were concealed from them?"

In testimony before the Senate Watergate committee two weeks ago, Mr. Dean said that Mr. Petersen once had showed him the C.I.A. material and told him that Mr. Gray had the same material.

"The fact that this material was in the possession of the Department of Justice meant to me that it was inevitable that the burglary of Ellsberg's psychiatrist's office would be discovered," Mr. Dean said. "I felt that any investigator worthy his salt would certainly be able to look at the pictures in the files at the Department of Justice and immediately determine the location and from there discover the fact that there had been a burglary at the office that was in the picture."

Included in the material given to Mr. Gray last July was a rundown on how the C.I.A. had furnished alias documents to Hunt in July, 1971, in the name of Edward Joseph Warren, and in the name of Edward V. Hamilton during the more than 20 years Hunt served as a C.I.A. agent. It was also recounted in the documents turned over to Mr. Gray how the C.I.A. had furnished Liddy with alias documents in the summer of 1971 in the name of George F. Leonard.

For six weeks to two months following the June 17 break-in,

F.B.I. agents all over the country worked to prove to the satisfaction of the prosecutors the true identities of the persons who had obviously traveled widely under those aliases. This required the laborious comparison of handwriting samples and fingerprints from hotel and airline records and the identification of pictures of Hunt and Liddy by hotel and airline employees.

During much of this time, Mr. Gray had evidence that would have immediately satisfied the prosecutors—the C.I.A.'s own record of the help it gave to the "plumbers." Mr. Petersen learned in October that the acting F.B.I. director had remained silent while supervising his agents' tedious efforts on the aliases.

When Mr. Petersen received the material from the C.I.A., it included transmittals to Mr. Gray dated July 5 and July 7, 1972.

However, when the prosecutors were finally allowed to review the C.I.A. material 33 days after Mr. Petersen obtained it, there was nothing in the documents they saw to indicate that Mr. Gray had the same material, and Mr. Petersen did not mention that fact to the prosecutors, even though he had given Mr. Dean, the Presidential counsel, that information around the same time, according to Mr. Dean.

The C.I.A. documentation was turned over to Mr. Petersen in response to a series of questions submitted to the agency by Earl J. Silbert, principal assistant United States Attorney in the District of Columbia who was then the chief prosecutor in the Watergate case. Richard Helms, then director of the C.I.A., ar-

3 JUL 1973

Probers Seek All White House Watergate Files

By Martha Angle
Star-News Staff Writer

Senate investigators have asked the White House for permission to examine and photocopy all files pertaining to Watergate and related subjects which remain in White House custody.

Samuel Dash, chief counsel of the special Senate Watergate committee, said a written request for access to the files was submitted last week to J. Fred Buzhardt, special White House counsel for Watergate matters.

Dash said Buzhardt, who could not be reached for comment last night, was expected to give him an answer today.

The committee counsel said investigators want to comb through and photocopy any relevant documents in the files of H.R. Haldeman, former White House Chief of staff; John D. Ehrlichman, former domestic affairs adviser; John W. Dean III, former counsel to the President, and Charles W. Colson, former special counsel.

IN ADDITION, Dash said, the committee staff wants to review daily news summaries prepared for President Nixon's perusal insofar as they relate to Watergate.

Senate probers also want to look over briefing papers which various White House aides prepared for press secretary Ronald L. Ziegler whenever he made public statements on the Watergate case, Dash said.

Dean, in his five days of Senate testimony last week, told committee members several times that documents which might be relevant to their probe remain locked up with the rest of his old files in the basement of the Executive Office Building where they were taken under guard after he was fired April 30.

He complained that he is not allowed to photocopy

materials in his files, although he may look through them and make handwritten notes.

HALDEMAN and Ehrlichman, who resigned the same day Dean was fired, are likewise restricted in their access to their files, as is Colson — who left the White House on March 10 to return to private law practice.

Chairman Sam J. Ervin Jr., D-N.C., ordered the committee staff to seek access to the documents and a "very broad" written request was submitted to Buzhardt, Dash said.

Dash said he followed up the written request with a more specific verbal outline in a phone conversation with Buzhardt yesterday.

"We're operating under the normal committee procedures in dealing with the White House whereby we ask first and then subpoena if necessary," he said.

DASH said Buzhardt yesterday indicated some concern about the sheer volume of work involved in sifting through the massive files compiled by the four former key White House aides in order to isolate documents of interest to the committee.

His own Senate investigators, Dash said, "are perfectly willing to sort the stuff out for them," but indicated the White House may be concerned about protecting documents relating to national security and other areas not relevant to the Watergate probe.

Dash said special Watergate prosecutor Archibald Cox is also seeking access to the White House files, along with "some of the civil suit litigants, I believe."

Although the Senate committee members are scattered across the nation for a 10-day Fourth of July recess, weary staff investigators are still interviewing witnesses, collecting documents and preparing for the resumption of hearings next

Tuesday.

COMMITTEE staffers thus far have interviewed roughly 90 different individuals at least once and have interrogated some several times. Those interviewed range from "big name" figures like Haldeman and Dean to obscure secretaries and office functionaries at the Nixon re-election committee or the White House.

Former Atty. Gen. John N. Mitchell, who directed President Nixon's re-election campaign until last July, will be the first witness when the hearings resume.

Jeb Stuart Magruder, former deputy campaign manager, has testified that

Mitchell approved the Watergate break-in and bugging operation last year but Mitchell is expected to deny this.

Mitchell is expected to admit participation in the Watergate cover-up, but his lawyers have indicated he has no evidence of involvement by President Nixon as Dean last week alleged.

DASH SAID committee staff members plan to interview Mitchell Monday morning, one day in advance of his public testimony. Mitchell's lawyers have resisted any earlier staff interviews in order to minimize opportunities for the kind of "leaks" to the news media that occurred when Dean was interviewed a week before his public appearance.

Under the present committee schedule, which is subject to change, Mitchell will be followed by Herbert W. Kalmbach, Nixon's former personal attorney who allegedly helped funnel "hush money" to the seven original Watergate defendants.

The committee then expects to interview J. Edgar Hoover, a former New York policeman on Kalmbach's payroll who was

used as a conduit for the payments; Frederick C. LaRue, a former Mitchell aide who has pleaded guilty to one count of conspiracy to obstruct justice in

connection with the cover-up; and Gordon Strachman, a former Haldeman aide.

This group of witnesses, Dash said, will be followed by four men who remain Nixon loyalists and deny involvement in the Watergate affair: former assistant Atty. Gen. Robert Mardian, Haldeman, Ehrlichman and Colson.

"CLEARLY Haldeman, Ehrlichman and Colson should be allowed to testify in July," Dash said. "I think it would affect the integrity of our hearings if we didn't give them a chance to testify fairly promptly."

The committee, which had hoped to wind up its "first phase" investigation of Watergate and its cover-up by the time Congress begins its summer recess on Aug. 4, will probably not be able to meet that deadline, Dash indicated.

He said the panel may have to decide whether to continue its hearings during part of the August recess or face the prospect of picking up the thread after Congress returns Sept. 5.

Omitted from the "phase one" hearing schedule, at least for the moment, are three additional groups of potential witnesses described by Dash as the "CIA group, the lawyers and the plumbers."

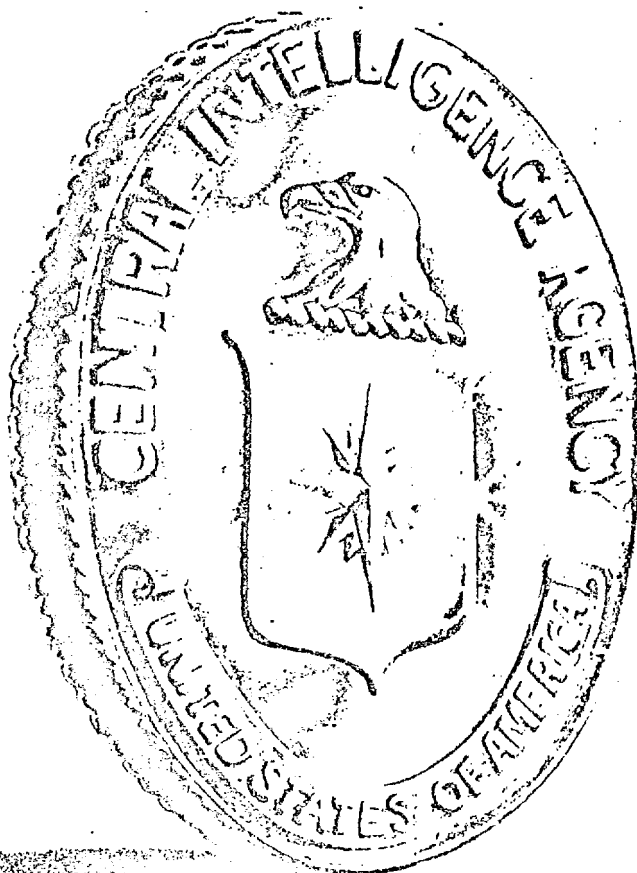
HE SAID the CIA group includes former director

The New York Times Magazine/July 1, 1973

Dark side up

Colby of C.I.A. - C.I.A. of Colby

STAT



By David Wise

A few weeks ago, a Norwegian who had served in the anti-Nazi underground saw a newspaper photograph and thought he recognized an American O.S.S. officer he had worked with during the war and had known only as "No. 96."

The photograph was that of William Egan Colby, 53, a career covert operator for the Central Intelligence Agency, and chief of its supersecret Directorate of Operations, sometimes known as the "Department of Dirty Tricks." As part of the high-level game of musical chairs touched off by Watergate, President Nixon had just named Bill Colby to be head of the C.I.A.

David Wise is the author of "The Politics of Lying: Government Deception, Secrecy, and Power."

And there is an interesting fact about Colby in the files at C.I.A. headquarters in Langley, Va. His official C.I.A. biography relates that he served in the O.S.S. during World War II and contains this sentence: "Shortly before the end of the war in 1945, he led a team dropped in northern Norway to destroy a rail line used for transporting German reinforcements." The Norwegian man who read about Colby's appointment and thought he recognized his picture got in touch through an intermediary with an American woman who lives in Kensington, Md., and who is a close friend of the Colbys, particularly of Colby's wife, Barbara. Could the woman find out whether Colby was his old comrade in arms, No. 96?

"I tried to find out," the woman in Kensington told me. "And I'm still trying. Bill wouldn't say, and Barbara doesn't know, or at least she says she doesn't know."

The story illustrates something about Colby that should not be entirely surprising in a man who has spent most of his adult life as—well—a spy. A State Department official who had worked with Colby in Vietnam put it this way: "He's soft-spoken, with a casual style. He has a forthright manner, but there's also a private Bill Colby. He's a very private person."

Indeed, there are really two Bill Colbys; given his covert background there would almost have to be. There is William Egan Colby, the quiet, young "Foreign Service officer" in the American Embassy in Stockholm and Rome in the nineteen-fifties, who was simultaneously William Egan Colby of the C.I.A., an up-and-coming "black" (that is, secret) operator working in the C.I.A.'s Clandestine Services under State Department cover. Later, there was Bill Colby in Saigon in 1959, listed in the official Biographic Register of the Department of State as a "political officer," and later as "first secretary" of the embassy. In fact, he became Saigon station chief for "the Agency" during this period. Then, in 1962, he turned up at Langley as chief of the Far East Division of C.I.A.'s covert side.

There was Bill Colby back in Vietnam again in 1968, heading the "pacification" program, building roads and schools and performing good works. There was also Bill Colby who supervised the Phoenix program, designed to "neutralize" the Vietcong, which its critics have charged was a program of systematic assassination, murder and torture—an accusation that Colby has vigorously denied, under oath. According to figures Colby provided to a House subcommittee in 1971, however, the Phoenix program killed 20,587 persons between 1968 and May, 1971. That's right: 20,587.

Now there is Bill Colby in 1973, a devoted family man, a good husband and father of four children, a devout Roman Catholic who regularly attends mass at the Little Flower Roman Catholic Church in Bethesda, Md., and who lives in an unpretentious white-brick house in Springfield, Md., a Washington suburb that is not as fancy as, say, Chevy Chase. Bill Colby? Why, he was neighborhood chairman of the Boy Scouts.

"Bill's always been involved in the Boy Scouts," his wife said. Had he actually been one? "He was a Boy Scout in China when his father was assigned there as an Army officer."

It is a long way from the Boy Scouts to the C.I.A.'s Directorate of Operations, a euphemism that encompasses "dirty tricks," although perhaps there are some similarities, too, if one is to judge by the activities and style of E. Howard Hunt Jr., the most famous recent graduate (if he did graduate) of the C.I.A.'s covert division.

As the agency's Deputy Director for Operations, Colby—when tapped by Nixon to be C.I.A. chief—was the man directly in charge of America's global espionage and dirty tricks. C.I.A. is a bivalve: one half, the Directorate of Operations, collects information and engages in secret political operations. These are the spooks. The other half, the Directorate of Intelligence, staffed by scholarly types, analyzes